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Docket No.: 50212-270

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277  
Yoshi NISHIBAYASHI, et al. : Confirmation Number: 6906  
Serial No.: 09/942,101 : Group Art Unit: 2879  
Filed: August 30, 2001 : Examiner: Williams, Joseph L.  
For: METHOD OF MANUFACTURING ELECTRON-EMITTING ELEMENT AND  
ELECTRONIC DEVICE

**PETITION TO REVIVE UNDER 37 CFR 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants have become aware that the above-identified application became abandoned for failure to file a timely and proper reply to the final Office Action dated December 11, 2003. An Amendment under 37 C.F.R. § 1.116 was previously submitted on April 8, 2004, however, the Advisory Action dated July 13, 2004 denied entry of the Amendment under 37 C.F.R. § 1.116. Applicants note that the Advisory Action was issued more than three months after the filing of the Amendment under 37 C.F.R. § 1.116. The entire period of delay in filing a proper reply from the due date for the reply to the filing of this Petition was unintentional. Applicants petition for revival of the above-identified unintentionally abandoned application.

Attached also is a courtesy copy of the response to the final Office Action dated December 11, 2003, along with authorization to charge any necessary extension fees. A Request for Continued Examination (RCE) is filed concurrently herewith which requests entry and

consideration of the Amendment under 37 C.F.R. § 1.116, previously submitted on April 8, 2004.

The U.S. Patent and Trademark Office is hereby authorized to charge our Deposit Account 500417 the amount of \$1,330.00, which is the fee for revival of an unintentionally abandoned application.

Revival of the application, entry of the RCE and Amendment filed April 8, 2004, and consideration on the merits are respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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**Date: August 11, 2004**